CASE No.: ST03004USU (172-US-U1)   Serial No.: 10/633,488

REMARKS

Claims 2-21 and 34 are pending in the present application. Applicants have amended claim 2, 10, 18, 25 and 34, along with the specification. Applicants believe that no new matter has been added by the amendments to the claims.

In the Specification

Paragraph [027] has been amended to replace "forth" with 'fourth order" in keeping with the description of the polynomial equation in the preceding paragraph. Paragraph [027] has been further amended to specify a particular maximum deviation based on material that appeared in the original application in claim 8.

35 U.S.C. §102 Rejection

Examiner has found that all pending claims are obvious under 35 USC §102(b) based on an article Altitude Aiding for GPS Systems using Elevation Map Datasets by Ptasinski et al. (hereinafter "D1").

D1 addresses the use of GPS satellite signals when only three satellite signals can be acquired. D1 discusses the use of a digital height dataset for providing an altitude to augment the information from the three acquired satellite signals.

Note that D1 by its own terms is limited so that in a situation where the previous position of the SATPS receiver is not known, D1 asserts that four pseudo-range values are required which is the number of pseudo-range values required for a 3D solution. The process in D1 relies upon the assumption that the altitude of the receiver has not changed significantly from the latest position fix. See D1 stages c and d at page 454-55, where c specifically describes:

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> "(C)   Determine if there is sufficient information to calculate a 2-D position. Three valid pseudo-range measurements with relevant satellite ephemeris data are required. In a cold start when the previous positions unavailable, in order to read the altitude value from the map four pseudo-range measurements are required."

Therefore, the D1 reference teaches and describes the need for four valid pseudo-range measurements in a cold start. This is opposed to the Applicants' claims to requiring only three equations. Thus, if what was taught by the D1 reference was implemented in Applicants' embodiment the embodiment would never work because three pseudo-range measurements are not enough.

Applicants, in amended independent claims 2, 10, 18, 25, and 34, claim that the location data comes "from a source other than a prior location determined by the satellite position receiver." If four valid pseudo-range measurements are known, then there is no need for determining the altitude value because the position of the receiver may be determined by from pseudo-range measurements.

Thus, claims 2, 10, 18, 25, and 34 are in condition for allowance along with all claim that depend from allowable independent claims 2, 10, 18, 25, and 34.

Conclusion

Attorney for Assignee has attempted to highlight the differences between the current set of claims and the D1 reference. It is hoped that the clarifications provided by this paper should lead to a speedy allowance of all pending claims and such allowance is earnestly requested.
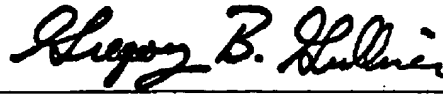
Respectfully submitted,

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